

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 75410

Sonya Parker  
P O Box 1799  
Glen Burnie MD 21060

8115 Subet Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on May 19, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 35-2-404 (a)(1), failure to remove or repair fence in rear of residential property zoned DR 5.5 known as 8115 Subet Road, 21244.

On May 3, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Stuart Kelly issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$4,000.00 (four thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on April 7, 2010 for repair of exterior construction, repair or remove damaged fence in rear of this investment property. This Citation was issued on May 3, 2010.

B. Photographs in the file show several sections of collapsed fencing around this residential investment property. Large sections of wood fencing are on the ground. Respondent is not required to have a fence on this property, but if a fence is present it must be in good repair. Respondent is required by law to maintain the exterior of the house at least in conformance with county code standards, including keeping "Fencing on the premises in good repair and in a structurally sound condition." Baltimore County Code Section 35-5-302(b)(7).

C. Because compliance is the goal of code enforcement, the civil penalty will be substantially reduced if the violations are corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the violation is corrected by June 29, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 24<sup>th</sup> day of May 2010

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer